

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**VERN SCHULDHEISZ**

**PLAINTIFF**

**V.**

**CASE NO. 3:20-CV-186-BD**

**MARK COUNTS, *et al.***

**DEFENDANTS**

**ORDER OF DISMISSAL**

Defendants have moved to dismiss Mr. Schuldheisz's claims based upon his failure to prosecute this lawsuit. (Doc. No. 33) On March 8, 2021, the Court instructed Mr. Schuldheisz to respond to the Defendants' motion by Friday, March 26, 2021. (Doc. No. 35) The Court specifically cautioned Mr. Schuldheisz that his claims would be dismissed if he failed to respond to this Court's Order. Local Rule 5.5. Mr. Schuldheisz has not responded to the Defendants' motion; nor has he responded to this Court's Order. Accordingly, the Defendants' motion is GRANTED. Mr. Schuldheisz's claims are DISMISSED, without prejudice, based on his failure to prosecute this lawsuit.

IT IS SO ORDERED, this 7th day of April, 2021.

  
UNITED STATES MAGISTRATE JUDGE